

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MERCEDES LIRIANO, et al.,

Plaintiffs,

-v-

NEW YORK CITY DEPARTMENT OF EDUCATION  
and PATRICIA CATANIA, jointly and severally,

Defendants.

CIVIL ACTION NO.: 19 Civ. 11245 (LGS) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Pursuant to the discovery conference held today, August 4, 2021, the Court orders as follows:

1. Defendant Catania's counsel Anthony Gentile first appeared in this action nearly six months ago. (See ECF No. 101). To the extent he has not done so already, Mr. Gentile shall promptly familiarize himself with the documents that have been produced in this action.
2. Plaintiffs' counsel shall promptly email Defendant Catania's counsel a copy of their previously served responses and objections to Defendant Catania's 2020 discovery requests.
3. **Today**, Defendant Catania's counsel shall provide by email to Plaintiffs' counsel and counsel for Defendant New York City Department of Education ("DOE"):  
(i) Defendant Catania's personal Gmail address (the "Personal Gmail Account"); and (ii) a representation of the length of time that the Personal Gmail Account has existed.
4. Defendant Catania's counsel shall confer with Defendant Catania and determine whether she is able to log into the [CataniaHS@gmail.com](mailto:CataniaHS@gmail.com) account.

5. Plaintiffs' counsel shall determine whether they will agree to: (i) an end date search restriction concerning the Personal Gmail Account; and (ii) categorical exclusion from her production of communications with Mr. Gentile or his associates (to minimize the burden on Defendant Catania of documenting withheld privileged communications on a privilege log).
6. By **Friday, August 6, 2021**, Defendant Catania shall file a letter informing the Court whether she will move for a protective order concerning the search of the Personal Gmail Account and two Samsung phones (the "Motion for a Protective Order"). If Defendant Catania elects to file a Motion for a Protective Order, the following briefing schedule will apply:  
  
Defendant Catania's Motion by **Friday, August 13, 2021**;  
  
Plaintiffs' Opposition by **Friday, August 20, 2021**;  
  
Defendant Catania's reply, if any, by **Friday, August 27, 2021**.
7. Plaintiffs shall respond to Defendant Catania's June 30, 2021 discovery demands by **Thursday, August 12, 2021**.
8. The Court will schedule a further Telephone Conference the morning of **Friday, August 13, 2021** on the Court's conference line. The Court will issue a follow-up Order with the time of the conference after all parties confirm their availability.

Dated: New York, New York  
August 4, 2021

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge